

# Black & Pink

## JULY AND AUGUST

### STATE OF CA AND TRANSGENDER LAW CENTER REACH HISTORIC SETTLEMENT OVER TRANS PRISONER HEALTH CARE / Q&A WITH SHILOH QUINE ABOUT HER HISTORIC VICTORY

After winning a historic settlement with the State of California, Shiloh Quine, a 56-year old transgender woman held a men’s prison, will be the first transgender woman we know of to receive gender-affirming surgery while incarcerated. In addition to providing her with gender-affirming surgery “as promptly as possible” and moving her to a women’s prison, the California Department of Corrections and Rehabilitation (CDCR) committed to changing its policies to allow other transgender people access to the clothing and commissary items consistent with their gender identity and to revise its policies regarding access to all medically necessary treatment for gender dysphoria, including surgeries.

Transgender Law Center, which represented Shiloh along with pro bono counsel from Morgan Lewis and Bockius LLP, spoke to Shiloh by phone at Mule Creek State Prison minutes after we finalized the settlement. We wanted Shiloh to have the chance to share her initial reaction in her own words with everyone who is following the big news.

#### TLC: How are you feeling about the settlement that we just reached?

Shiloh: I’m kind of in shock. I feel like it’s really a great thing that’s just happened. It shows the world is evolving, and starting to understand different viewpoints and perspectives better than in the past. People are learning to recognize the humanity in everybody. It’s been a long time coming.

#### Can you describe for people what your life has been like up till now?

It’s been like being inside a prison inside a prison within myself. I really related to Caitlyn Jenner’s journey. It’s like I wrote in my first article for Stiletto [TGIJP’s newsletter] – it’s hard enough coming to terms with you are, but for many of us we aren’t able to actually tell anyone or do anything about it due to all the pressure to be like everyone else. I think that’s why suicide rates are so high for us – so little of the population understands us, and of course they don’t understand, because they haven’t been in this position themselves.

I feel like I’m getting closer to being comfortable within myself, at last. I’d almost given up on that for so long. It really seemed hopeless. It’s just been such a long journey. I feel like I was born inside a man’s body, but I’m feminine inside and identify as a female, and I’ve had to suppress that my whole life, in public anyway. When I was young, it was always something I had to hide. There were just a few incidents when I was free where I got to express who I really am, like when I got to wear girls’ clothes to school on “Weird Day” in middle school. Most of the time I couldn’t be me completely because other people wouldn’t understand.

#### How did it help you to connect with the community of other trans women in prison through Stiletto and TGIJP?

It was wonderful. I was able to have somebody to actually listen to me, and be able to vent my feelings and emotions where I wasn’t always able to, otherwise. It was like a pot boiling over, and I could release some of this emotional turmoil within me, by writing to them, and submitting articles that were published in Stiletto.

The first time I read Stiletto it was amazing. I was so at the end of my rope at that point – literally. I was really at my end and seeing that gave me a spark of life, to know there is something I might be able to do. Things didn’t seem so hopeless after that. I felt like I could educate others, help young people, educate society to some degree on how hard it is just being us sometimes. It really showed that someone cares about us. It gave me a support system to reach out, express myself, and explain what I was going through.



#### What are you most looking forward to, as a result of the settlement?

To feeling whole, and not having to have the wrong genitals on my body that remind me every day that I’m supposedly what other people say I am – a “man” – even though I don’t feel like that inside. I’m called “man,” “sir,” “mister.” It will complete me. Even then, I know there may be some discriminatory things, but it won’t be the same – I’ll feel complete as a woman and a human being.

#### You’ll soon be moved to a women’s prison, as you requested. How are you feeling about that?

I’m feeling great. I’ll be around my peers. I think it will be a lot more comfortable, compared to being here [in a men’s facility, Mule Creek State Prison]. I don’t fit in here, or in any of these men’s facilities – I never have and never will. I just don’t fit in around a bunch of males – I need to be around people who are like me, and I’m like them.

#### If They Had Their Way

These items are important to help us show other people who we are inside. It never made sense to me that you’re provided hormones [by CDCR] to become more feminine because that’s how you identify, but they deprive you of these things that let you fully appear like a woman. These products are a big part of being who you are. That’s part of the treatment plan – the therapeutic process – that goes with the triadic therapy. I wanted to have that real-life experience. It’s part of the whole process that goes with treating gender dysphoria.

*Continued on Page 5...*

Black and Pink  
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Dorchester, MA 02125

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Statement of Purpose  
Black & Pink is an open family of LGBTQ  
prisoners and “free world” allies who support  
each other. Our work toward the abolition  
of the prison industrial complex is rooted  
in the experience of currently and formerly  
incarcerated people. We are outraged by  
the specific violence of the prison industrial  
complex against LGBTQ people, and respond  
through advocacy, education, direct service,  
and organizing.

Black & Pink is proudly a family of people of all  
races.

About this Newspaper  
Since 2007, Black & Pink free world volunteers  
have pulled together a monthly newspaper  
primarily composed of material written by our  
family's incarcerated members. In response to  
letters we receive, more prisoners receive the  
newspaper each issue!  
This month, the newspaper is being sent to  
over: 7,544 prisoners!

Disclaimer:  
Please note that the ideas and opinions expressed  
in the Black & Pink Newspaper are solely those of  
the authors and artists and do not necessarily reflect  
the views of Black & Pink. Black & Pink makes no  
representations as to the accuracy of any statements  
made in the Newspaper, including but not limited to  
legal and medical information. Authors and artists  
bear sole responsibility for their work. Everything  
published in the Newspaper is also on the internet—  
it can be seen by anyone with a computer. By  
sending a letter to “Newspaper Submissions,” you  
are agreeing to have your piece in the Newspaper  
and on the internet. For this reason, we only  
publish First Names and State Location to respect  
people's privacy. Pieces may be edited to fit our  
anti-oppression values and based on our Editing  
Guidelines.

THANKS AGAIN TO THE  
NEARLY 1,600 MEMBERS WHO  
COMPLETED OUR SURVEY  
THIS FALL! YOU WILL BE  
RECEIVING A CERTIFICATE OF  
COMPLETION IN THE MAIL.

This month’s header is by Benito G  
in CA.

A MESSAGE FROM JASON

Dear friends,  
I hope this letter finds you as well as possible. I want  
to take some time with this letter to give you a bit of  
an organizational update about Black and Pink. I know  
that some folks have been feeling a bit frustrated that  
we are behind in responses and with the newspaper. I  
understand your frustration and want you to know that  
your concerns are not being ignored.  
As you likely know, Black and Pink is nearly all  
volunteers. We have volunteers who open and read  
your letters. We have volunteers who type up your  
newspaper submissions. We have volunteers who edit  
the newspaper. We have a volunteer who does the  
newspaper layout. We also have volunteers who type  
up your feedback so we can include your ideas and  
opinions in our decision making. One of the things that is  
a challenge about being all volunteers is that sometimes  
people get behind on the work. Because of this, we were  
unable to include your letters in this issue and combined  
issues for July and August. Letters will return in the  
September issue and we appreciate you writing. Again,  
it is not that we are ignoring your requests or falling  
behind on purpose. What is happening is that everyone  
has their own life things going on that sometimes get in  
the way of volunteer work for Black and Pink. Please  
know that we are always recruiting new volunteers and  
are trying to stay on top of things as best as possible.  
Thank you for trying to be patient with us.

Other organization updates you might want to know  
about, the data from the survey is almost done being  
analyzed. Over 1,200 of you filled out the survey. If  
you filled out the survey by the deadline (December 15,  
2014), you should have received a certificate from us.  
We printed everyone’s legal name and also gave you a  
blank certificate so that you could put your actual name  
if it is different from your legal name. We expect to be  
done with part one of the report by October and will  
send it out in the newspaper early in the winter. We  
are very excited to get your feedback on the report and  
include your feedback on the website for the survey.  
Thank you, again, to everyone who filled out the survey.  
The weekend of October 16-18 we will be celebrating  
10 years of Black and Pink’s work! We are really excited  
about this event. Along with many formerly incarcerated  
speakers, we are also including recordings from calls  
with prisoner members of Black and Pink. So far we  
have already recorded four of you and look forward to  
recording more brief messages. A volunteer will edit  
the clips together so that we can include your voices at  
our celebration in October. Some of the people who will  
be there include: Miss Major, a formerly incarcerated  
Black transgender woman who was at Stonewall and  
Attica; Bo Brown, a white anti-racist/anti-imperialist  
former political prisoner who was part of the George  
Jackson Brigade in the early 1980s; CeCe McDonald,  
who is a formerly incarcerated Black transgender  
woman who was incarcerated for defending herself  
against a racist and transphobic attack; TJ Parsell, a  
white gay man who founded Stop Prison Rape after his  
experiences of sexual assault in prison; and more! We  
are getting very excited about this event and will be  
sure to share all we can with you afterwards.

As always, we keep all of our work going knowing  
that once there were no prisons, that day will come  
again.  
In Loving solidarity,  
Jason

CALL FOR SUBMISSIONS TO HOT  
PINK!  
Seeking erotic short stories, poems,  
AND ART by Black & Pink incarcerated  
and free-world family members for a  
new ‘zine. To be mailed, art cannot  
include full nudity. Please send  
submissions (and shout outs to the  
authors from the first issue mailed  
in January!) addressed to Black &  
Pink - HOT PINK. This is a voluntary  
project, and no money will be offered  
for submissions, but you might get the  
chance to share your spicy story with  
many others! The zine will be sent 1-2  
times per year. To subscribe to receive  
a copy of HOT PINK twice a year,  
write to our address, Black & Pink -  
GENERAL.

A DECADE OF BLACK AND PINK

Anyone who is being released between now and  
September, PLEASE send us your outside contact  
information. We are planning a big gathering in October  
2015 to celebrate 10 years of Black and Pink. We will  
be having a big party on Friday night and a weekend  
long conference to plan the next steps for Black and  
Pink. We will be able to pay for travel, housing, and  
food of those who attend. We will also offer a stipend of  
\$150 to formerly incarcerated people who attend.

BLACK AND PINK HOTLINE NUMBER!!!

After over a year of thinking about how to make this  
happen we are now announcing that people can call  
us. The phone number is **617.519.4387**. Your  
calls will be answered as often as possible. We are  
not currently able to set up accounts, so calls must be  
either pre-paid or collect. The hotline will be available  
Sundays 1-5pm (Eastern Time) for certain. You can call  
at other times as well and we will do our best to answer  
your calls.  
**The purpose of the hotline is for 3 primary things:**  
1. Story telling. We are trying to collect stories of  
incarcerated members to turn into a recording that  
we can play at our 10 year anniversary celebration in  
October. Your voices are important to us and we want to  
make sure they are part of this event. We want to make  
time to record your story if you give us permission.  
2. Supportive listening. Being in prison is lonely, as we  
all know. The hotline is here for supportive listening so  
you can just talk to someone about what is going on in  
your life.  
3. Organizing. If there are things going on at your prison  
in terms of lock downs, guard harassment, resistance,  
and anything else that should be shared with the public,  
let us know so we can spread the word.  
**Restrictions:**  
The hotline is not a number to call about getting on the  
pen pal list or to get the newspaper.  
The hotline is not a number to call for sexual or erotic  
chatting.  
The hotline is not a number for getting help with your  
current court case, we are not legal experts.

We look forward to hearing from you! This is our first  
attempt at this so please be patient with us as we work  
it all out. We will not be able to answer every call, but  
we will do our best.  
**We are sorry to share that we can only accept  
prepaid calls at this time. We apologize to anyone  
who has been trying to get through to the hotline  
with no success. We are still working this system out.  
Thank you for being understanding.**

RELIGIOUS SUBMISSIONS WANTED

Black and Pink is compiling a zine about prison, faith, and  
sexuality.  
Please submit your neatly written submission of 3 or fewer  
pages to:  
Black and Pink - The Spirit Inside  
614 Columbia Road  
Dorchester MA 02125  
Drawings also welcomed.

We would like your help in putting together a zine (minia-  
ture magazine) or resource guide about religion and spiritu-  
ality for and by LGBTQ+ people behind bars. We’d like to  
request written homily, reflection, teaching, drawing, poem,  
or other resource for people behind bars.

With your submission about faith and prison or sexuality,  
please include the name of your religion/faith/spirituality  
(Example: Christianity, Paganism, Judaism) and your sect  
or denomination (Example: Baptist, none, Reform)

We welcome anything in your own words, but for space and  
variety, not all submissions can be accepted. By submitting,  
you give Black and Pink permission to publish your writing  
in print and on the Internet.

If They Had Their Way

If they had their way they’d kill us all  
Then spray-paint “we hate gay people” on the wall  
If they had their way we’d all be dead  
They’d burn our bodie s alive then cut off our heads  
If they had their way we wouldn’t exist now  
They teach each other hate crimes and show their children how  
If they had their way Queens would be history  
They’d solve their hate for us and this ain’t no mystery  
If they had their way Christians and Muslims alike  
Would throw to the lions all faggots and dykes  
If they had their way we’d be thrown from a plane  
Without a parachute and splatter all our brains  
If they had their way we’d be a thing of the past  
Cause they can’t stand to see us give up our ass  
If they had their way gays lesbians, bis, and trans wouldn’t be  
We’d be hung at the gallows for all str-8’s to see  
If they had their way we’d be shot one by one  
Until it ain’t no more sisterhood, they’d leave none  
If they had their way it wouldn’t be gay marriage  
We’d be exiled to the wilderness and forced to live savage  
So don’t be like them it defeats our purpose in life  
Stay on top and see the surface of what is right  
We are different and yet we’re all the same  
We dance to “our” tune let’s not play “their” games  
We doing our own thang we got to love one another  
Christians, str-8s, and Muslims wanna see us hate each other  
That’s how they are, that’s all on them  
When we as GLBT do hatred we’re no better off than them  
If they had they way. Aren’t you glad they don’t? =)...

Chelsy, WI

Those Truly Poor

[Poem from my poetry book]

I remember sleeping on the streets  
panhandling and hustling for 12 straight seasons.  
Eating in a lot of nice soup kitchens,  
I enjoyed being homeless and had my reasons.  
Some people were kind and some were mean,  
and others would turn the other way.  
No matter if it was rain or winter cold,  
Nothing could deter my bright sunny day.  
I used to dumpster dive for food,  
in Waterbury where there was a KFC.  
After stealing sodas from the seven-eleven,  
it was as if those still hot chickens were specially for me.  
They kept them within a doubled-up garbage bag,  
and there was at least well over 5 pounds of food.  
Afterwards we'd be so full,  
and drink some Steel Reserve to put us in the mood.  
I remember being homeless in Norristown, Pennsylvania,  
McDonald's always looked out for me.  
They gave me a bag full of burgers and a bag full of fries,  
telling me to be safe and enjoy the sodas and food for free.  
The drop-in centers were my number one hangout,  
because there were always a lot of beautiful sistahs there.  
A place where nobody judged you.  
A place where everyone honestly cared.  
If I had a chance I'd definitely do it all over again,  
because that's how I learned everything and more.  
This poem I dedicate to all who struggle,  
this is my heart going out to all of those truly poor.

Beauty

[Poem from my poetry book]

Beauty is like the watching of the sunset,  
or in the early dawn catching it rise.  
Beauty is the witnessing of shooting stars,  
or seeing a comet traveling through the skies.  
Beauty is the caring presence of a woman,  
who's always there so you'll never feel lonely.  
Beauty is the budding of a flower,  
especially the blooming of rose,  
Beauty is what I always see,  
whenever I feel the wind blow.  
Beauty is seeing that first raindrop,  
falling from that dark cloud.  
Beauty is like the rainbow in the sky,  
it's humbly peaceful and never loud.  
In everyone and everything, you'll always see or feel beauty,

whether its presence is external or within.  
Only when you notice beauty,  
can your perception of life begin.  
Beauty is the approach of fall,  
viewing the different color of leaves in the trees.  
Beauty is the different types of marine life,  
contained in the oceans and seas.  
What is beauty to other people,  
let me know what you see.  
Beauty is in everything,  
beauty is in you as it is in me.

The Struggle

[Poem from my second poetry book I'm working on]

For 3 decades and 3 years,  
I have been living upon this earth.  
Ever since the age of 7,  
I was wondering what my life was worth.  
I've persevered through many trials and tribulations,  
including enduring hardships while homeless on the streets.  
I was a freak that nobody wanted,  
majority of the time being trampled under their feet.  
Someone, anyone, I am here,  
can't you see I freaking exist!  
Just because I'm a gender nonconforming sexual creature,  
doesn't mean I don't deserve to be hugged, loved and kissed.  
But nobody wanted me amongst them,  
I've even had to sell my body just to survive.  
I've been shot, shot at, and even stabbed up.  
It's a wonder I'm still alive.  
I've even been labeled crazy for my mind,  
but how can they judge what they don't understand.  
I'm proud to be with the LGBTQ and I.G. Family,  
Because they know what it's like to suffer at the society's hands.  
I've come to the conclusion that I'm a phenomenal creature,  
one that's unique and deserves to be respected.  
Not one that you can trample on and ignore,  
unlike how my family saw my presence and quickly rejected.  
Is there anyone out there not afraid to be close to me,  
it's not as if I'm requesting to have sex or a snuggle.  
Much love and respect to the Black and Pink Family,  
I fully support you 100% in the struggle.

Justin aka Chimera, PA

Lately I have noticed,  
A disturbing trend.  
I don't like it much,  
And I hope it will end.

The girls and the boys,  
They only want to be.  
With their own age group,  
And that leaves out me.

Stonewall, Compton's,  
The Congressional lot.  
We won some and lost some,  
Oh, the wars that we fought.

We fought long,  
And we stood tall.  
State by state,  
Anti-marriage laws fall.

Now I'm older,  
They call me grandma or mom.  
They can only see the wrinkles,  
And the gray hair that's long.

They don't care about the wisdom,  
And the lessons I've learned.  
They don't ask for guidance,  
Or about the rights we have earned.

They only want youth,  
Someone like them.  
No one wants a sixty two year old woman,  
Who was born as a man.

Mama, CA



Rainbow Battle Hymn

Was I born this way or is it a lifestyle or choice?  
Either way, it's a battle... can you hear my voice?  
Love is love, I say, no matter who or how or what  
The haters don't get it... they're stuck in the "Christian" rut  
Marriage is a "union of a man and a woman," is what they claim  
Not for the "heathen gays and lesbos," even though our goal is the same  
Equality for all beings, gay or straight, black or white  
Is the slogan that should be heard all throughout the fight  
The battle is upon us my children, let us not go out with a whimper, but with a mighty roar!  
Shout it from the mountain tops, the cities and from shore to sandy shore!  
Give us the right to wed whomever we choose  
For we live in the land of the red, white and blue!

Love

The most mysterious feeling on earth  
A force stronger than gravity  
More powerful than the sun  
With a range greater than the universe

Love

Is something some are willing to die for  
And something some are ready to kill for  
It's hard to live without it

Love

The subject of eons worth of songs  
The context of countless poems and movies  
Is what we strive to achieve

Love

Drives us to become better beings  
The bonding force, a familial chord  
Is instilled in all of us at birth

Love

No matter who, we crave it  
No matter how, the want it  
No matter what, we need it

Love

What our deities bestow upon us  
Is in our thoughts and actions  
What we desire in our lifetime here

Love

Is to be shared with all  
Let it out, let it flow,  
Be it gay, lesbian, bi, TV, TS, queer or straight  
Love is love, let it go

Love!

Samantha, AZ

My Plea

I beg you please, so I am on my knees  
free me, love me, fulfill me  
Bring me back to your love  
to a life with you in my soul complete  
to the promise, to the gift to Grace that meets

The salvation plan is in action  
it starts by my faith my quest to have you  
purity, love a life without sin is due  
I beg you please as I am on my knees

As my tears fall I can hear your call  
its to a world I want to live with you alone All  
As my tears fall I give you my all  
My heart is open, I'm yours all and all

Create in me a life anew  
one full of colors red yellow and blue  
One that allows my soul the hue

You bleed red your promises true

God can you hear me. I am in want  
I'm tired of my life that has lead haunt  
for here I am please I beg thee  
take me in Clean me.

Here I am for grace that saves  
I beg you please I am on my knees  
Free me, love me, fulfill me  
bring me back to your love I seek  
to a life with you my soul complete  
to the promise to the Gift that gives  
it is to Grace and my Savior that lives

--

The noise is louder today  
or maybe it's the group at play  
It's too much I can't get away  
But then again it is today

I stay away keep to myself  
Cleaning and sorting all of my shelf  
My brain feels like it's gonna melt  
I wish it wasn't hopelessness I felt

The thoughts they won't leave me  
With the thoughts and the noise I wanna scream  
Yet today puts me closer to feeling crazy  
Maybe it's just another day of being hazy

With the spinning wheels and backwards thoughts  
I tell myself it's okay, we'll be fine, it will stop  
Can't lose my mind can't yell at the cop  
Man to scream would hit the spot

Do I be good or do I stray  
it's all too much for me today  
Get away no wait please just stay  
My mind isn't healthy not at all today

Still the loud noises get louder each day  
Why can't they shut up maybe go away  
It's not my time I don't want to play  
Go away, shut up, for just one day

The sun is setting on another day  
What do we make of our child's play  
laughs and jokes the funny HaHa's and pokes  
but then I look to you for my ego stroke

We became friends through bars and bunks  
listened to stupidity from the normal punks  
late nights of child's play  
but then again wouldn't miss those days

You came back this time to stay  
You act different the child went away  
You're still tempted by the needle and vein  
but with love in your heart you feel so much pain

Tears secretly fall and your heart aches  
you here, she in that stupid place  
you wanna make it right you wanna be true  
your ego, your heart, your soul so blue

Open your heart and feel the embrace  
you may not like it but this is your place  
it may not be today but the time will come  
The Lord will embrace you don't turn and run

Gods love is for you to hold and care  
Many times they will fall a single tear  
But remember His love in every time every place  
Rest assured you're in the master's embrace

Why Hate

People say they Care  
but then it's my heart they tear  
They Poke they Prod  
They wear a facade

Is it just who I am  
Am I a target is that the plan  
hurt and Pain  
it’s crazy insane

They walk proud covered in a shroud  
but then again they please their crowd  
they break my heart  
insides they have fallen apart

Keep the smile even when you feel like a pile  
walk head held high walk with style  
walking heart and Soul  
really breaks you it takes a toll

People say they care  
but it’s my heart in despair  
they love, they hate  
Stupid me I took their bait

Zachary, ID

STRUGGLING FOR RIGHTS

STATE OF CA AND TRANSGENDER LAW CENTER REACH HISTORIC SETTLEMENT OVER TRANS PRISONER HEALTH CARE / Q&A WITH SHILOH QUINE ABOUT HER HISTORIC VICTORY...*Continued from Page 1...* to be a part of this when I didn’t even really know what I was doing. It’s quite overwhelming.

**Do you have any reflections on some of your past bad choices? Are you thinking about some of those when you talk about giving back to society?**

Definitely. Just because you’re in here doesn’t mean you have to continue certain kinds of behavior – you shape yourself, you grow. That’s what “rehabilitation” is about. You become a productive member of society, and that’s reflected in your character. It’s something you can’t con. It’ll ring true because it is true.

With this case as well as other things I’ve done in the past to try to better the system, I’ve been trying to help. If it don’t help me it might help someone else down the line. It’s sort of like making amends. I can never truly make amends for some of the things I’ve done in the past, but I can try to sort of make amends through this.

**How was it working with your legal team from Transgender Law Center and Morgan Lewis?**

It was very fruitful. Now it’s bearing fruit! No, it was very decent. Very humane. It was something that seemed to have been lacking for some time in my life – having other people care about me and fighting for me.

It had felt for so long like an uphill battle – I felt like I would go forward, then back three steps. It felt like I’d never reach the top. I felt hopeless, but I kept trying and hoping. But then when you were appointed to my case, I felt amazed. It felt like my pleas and cries fell on deaf ears for so long, but then it turned out someone actually was listening and was there to help.

It felt like you being there and the support you provided was very helpful. It was a support system. It was a place to go when you had an issue and there was now someone who would actually hear you out, and cared, enough to actually do something about it or at least try.

I feel very grateful and appreciative. Honestly, I feel blessed. I appreciate this from the bottom of my heart, forever. And I will never forget you.

**Anything else you’d like to share?**

Just a great big thank you to anyone who had anything to do with this. And even to CDCR, for doing this. It’s very appreciated. [Tearing up] And the right thing to do, I think. It really is.

This is my birthday, by the way.

**It is?? Seriously?**

Yup. 8/7/59.

**How did we not know that? Sorry we didn’t know that. But I guess we got you a little something...**

[Laughing] You sure did. This is the best birthday present ever.

*Originally Published on The Transgender Law Center August 2015*

WHAT THE 2016 PRESIDENTIAL CANDIDATES ARE SAYING ABOUT MASS INCARCERATION

The relationship between policing, poverty, crime, mass incarceration, and the war on drugs is one of the most pressing social issues of our time. Problems with race relations are ongoing, they are unavoidable, they are disturbing, and with the 2016 election fast approaching, they are yet another arena where this batch of presidential hopefuls will have to prove themselves. It is not a new area for presidential campaigns to wander into, but hopefully this cycle will see these issues (racial tensions and the criminal justice system) addressed for what they truly are.

Ever since the 1964 presidential election, candidates have presented American voters with strong rhetoric about law and order and policing. This really took off in the 1968 presidential campaign, the first following the Civil Rights and Voting Rights acts that afforded people of color in the U.S. protection from various forms of discrimination. Yet, just as this governmental protection took hold, another (perhaps subtler) means of lawful oppression began.

George H.W. Bush’s declaration of the War on Drugs was, apart from a disturbing call for Americans to police one another, the birthplace of mandatory minimums that disproportionately target African American and Latino males. Clinton/Gore campaign commercials insisted on a “new” Democrat who believed in the death penalty—a practice that kills, in severely disproportionate numbers, people of color. As president, Bill Clinton would ultimately sign an 1994 omnibus crime bill (written by another prominent Democrat: then-Senator Joe Biden), which was a direct cause of the dramatic increase in incarcerated Americans. He recently took responsibility for this largely calamitous bill, possibly a hopeful sign for changes to come.

Consistently, presidents and presidential candidates have found success in trumpeting programs that target African Americans and other racial minorities, encouraging policing in poor, urban neighborhoods. The rhetoric and subsequent initiatives of our past presidents and presidential hopefuls has resulted in the United States being among the nations with the highest number of incarcerated individuals per capita. It has made us a nation in which a greater number of African Americans went to prison than institutions of higher learning by the year 2000.

But there have been shifts in the way criminal justice is being talked about among presidential candidates. In April, Hillary Clinton delivered a speech at Columbia University, in which she decried the era of mass incarceration. She identified the connection between the environment caused by our criminal justice system and events like the Baltimore riots. Her statements are in direct opposition to the stance politicians were taking on incarceration as recently as the previous presidential election. In fact, following her speech, 2012 GOP nominee Mitt Romney denied the existence of a mass incarceration problem altogether, demonstrating how the sort of debate we see among current candidates would not have been possible in previous campaigns. “Are we not going to lock up people who commit crimes, is that what she’s suggesting?” he asked in an interview with Fox News on May 4.

Some have raised the suggestion that her remarks on the issue were simply a reaction to Senator Bernie Sanders’ announcement for his run for the presidency just days earlier. This may be true. As the only socialist Congressman, Sanders’ bid for the presidency might be encouraging Clinton to adopt more left-wing attitudes. But Sanders himself has yet to directly confront mass incarceration. In an interview with CNN’s Wolf Blitzer, Sanders identified short term solutions like body cameras on police and reforms that ensured suspects were treated respectfully and long term solutions pertaining to employment.

Clinton may also have been gearing up to compete with likely Democratic challenger former Virginia Senator Jim Webb, who has been battling mass incarceration since his term in the Senate. Webb put together a commission to tackle mass incarceration, and in 2009 called our criminal justice system a “national disgrace.” (A more recent statement from Webb can be found here). Such strong rhetoric from so early on makes many hopeful that a presidential run from Webb will, if nothing else, further pressure Clinton—as the Democratic frontrunner—to make serious plans to amend this issue.

Thankfully, this round of GOP candidates seem to align closer with Webb than Romney.

Kentucky Senator Rand Paul, who confirmed his bid on April 7, has shown strong support for criminal justice reform and directly confronted the racism inherent in the existing system. As far back as 2013, Paul compared mandatory minimums in drug sentencing to laws of the Jim Crow south, pointing out the absurdity of a system that prevents one-third of African American males from voting due to imprisonment and criminal records. He was a cosponsor of the Smarter Sentencing Act (along with a host of Senate Republicans including fellow candidate Ted Cruz) and recently revived the Justice Safety Valve Act that would allow judges to circumvent mandatory sentencing.

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...Continued from Page 5...in May that he would run in the Republican party, delivered a more lukewarm response to the events in Baltimore, police brutality, and mass incarceration. Speaking in Baltimore on May 7, Carson called on childhood experience witnessing police brutality while maintaining that these were generally situations where both parties had some fault. His tepid response to a direct question about mass incarceration (improving the economy to reduce the number of people turning to drugs) was later followed by stronger statements like his support for police body cameras and his openness to examining sentencing requirements.

Bobby Jindal, who has not yet confirmed his run but is expected to do so soon, has also acknowledged the need for criminal justice reforms. But like Carson, he does not seem ready to commit to ending the era of mass incarceration. In 2013, as Governor of Louisiana, (the world’s prison capital), he signed into law a bill that allows the early release of nonviolent drug offenders and relies more heavily on rehabilitation for low-risk offenders. On the other hand, Jindal vetoed a 2014 bill that aimed to lessen the amount of prison time served by violent offenders before becoming eligible for parole.

So, while the remnants of the tough-on-crime model seems to hold moderate prevalence, the overall environment surrounding the country’s criminal justice system is undoubtedly changing. And this change has received the notice of major political commentators over the past month. In late April, Peter Baker wrote in The New York Times, that the 2016 candidates were united in the effort to reform the justice system. Candidates and potential candidates from both parties have contributed to a compilation of essays released April 28 entitled “Solutions: American Leaders Speak Out on Criminal Justice.” Former Florida Governor Jeb Bush is a conspicuous nonparticipant, but has, Baker reports, “signed on to a conservative group’s call for cost-effective alternatives to prison.”

In a political climate infamous for polarized partisan politics, mass incarceration and criminal justice reform has been a beacon of hope for bipartisan cooperation. If presidential candidates on both sides of the aisle contributed to an environment that took tough-on-crime much too far, then does this cross-party shift signal a substantive change in the opposite direction? Matt Ford of The Atlantic called the phenomena of mass incarceration a “triumph of bipartisanship” and offered a cautious look at the potential for bipartisan cooperation to remedy this ill. CNN’s Eric Bradner expressed optimism that the cooperation among the 2016 presidential candidates could lead to an “overhaul of the criminal justice system.”

Substantive change will require continued cooperation in Congress and among state-level officials. However, the rhetoric and moderate progress that this batch of candidates has introduced offers an insight into where the country is heading. Presidential campaigns were once an arena where victory went to the candidate toughest on crime. Now, the 2016 campaign seems to be a forum that is pushing candidates to display their progressive attitudes towards criminal justice reform.

By Cauveri Suresh Originally Pushlished on Tremr, 2015

FROM BLACK AUGUST TO BLACK LIVES MATTER

Black August, a month of political prisoner activism and commemoration, can help remind us of the nation’s exponentially expanding racist prison system.

A year ago this month, the streets of Ferguson, Missouri exploded in the wake of the murder of eighteen-year-old Black teen, Michael Brown, at the hands of white police officer, Darren Wilson. The world watched closely as military Humvees and the national guard armed with tear gas and rubber bullets transformed an otherwise quiet town in the Midwest into a historic battlefield for the Black Lives Matter movement, the present-day Black liberation struggle born after the 2013 acquittal of George Zimmerman over the murder of the Black seventeen-year-old Trayvon Martin.

Since the Ferguson riots last August, Black Lives Matter has radically shifted the national conversation on anti-Black racism and police brutality through massive protests, demonstrations, and online mobilizations that have galvanized a new generation of youth of color in the United States and around the world who refuse to allow the police to turn them into another murder statistic. Just last month, hundreds of Black activists gathered together in Cleveland, Ohio in a historic meeting for the inaugural Movement for Black Lives Convening, which featured panels and workshops on Black labor organizing, queer and trans justice, lessons from the Black Panther Party, among others.

A new Pew Research Center poll released this month further shows how Black Lives Matter is transforming the racial views of Americans (and particularly white Americans) in astounding ways. According to the poll, 59 percent of U.S. citizens believe that changes are necessary to afford equal rights to African Americans, up from 46 percent just last year, with a majority of whites (53 percent) agreeing. Black Lives Matter and related mobilizations across the

country have forced white Americans to take racism and police brutality seriously to the point where most of them have come to agree that that police treat Blacks less fairly than other groups. That hot, tragic summer day in Ferguson and the riots they gave birth to last August launched a crucial movement to remind the world that Black Lives Matter.

Yet, as we take a moment this August to honor Ferguson and the past, present, and future of the Black Lives Matter movement, it might be useful to take a moment to recognize another important moment in the history of the Black freedom struggle taking place this month: Black August. More than thirty-five years ago, Black August was created by Black political prisoners in California’s infamous San Quentin State Prison in August 1979 to commemorate the long legacy of prison protest and other forgotten events in the history of Black freedom struggles. As cofounder Shuuja Graham told historian Dan Berger, “We figured that the people we wanted to remember wouldn’t be remembered during Black history month, so we started Black August.” In August 1971, Black Panther leader George Jackson was killed in a prison uprising, while his younger brother was killed the previous August attempt to free three prisoners. August was also the historic month in which Haitian slaves rebelled and launched the Haitian Revolution (August 21, 1791), initiating the successful destruction of chattel slavery on the island and the world’s first independent Black republic, and the month that Nat Turner led a slave revolt in southern Virginia (August 21, 1831). As a “kind of secular activist Ramadan,” as described by Berger, Black prisoners fasted, read, studied, and engaged in physical training and self-discipline. As Mumia Abu-Jamal notes, “August is a month of meaning, of repression and radical resistance, of injustice and divine justice; of repression and righteous rebellion; of individual and collective efforts to free the slaves and break the chains that bind us.”

Over the coming months, Black August’s origins within the prison system can help remind us that as Black men and women are being murdered by police on the streets, hundreds of others are being shipped away and locked up in the nation’s exponentially expanding penitentiaries. The United States has the largest prison population in the world—even larger than China or Russia—and Black Americans constitute a disproportionate percentage of that population. According to the NAACP, African Americans comprise 1 million of the 2.3 million total prisoners in this nation, and are incarcerated six times more than whites. Even though Blacks and Latinos compose one quarter of the national population, they comprised 58 percent of all prisoners as of 2008. Although 14 million whites and 2.6 million African Americans report using an illicit drug, African Americans are being sent to prison for drug offenses at 10 times the rate of whites thanks to racist drug policies beginning in the 1970s. As of 2001, one in six Black men had been incarcerated, but if current trends continue, one in three Black men born today can expect to be imprisoned at some point in their lifetimes.

Black August can also help us remember that big money is increasingly behind this prison-industrial complex that devalues Black life. The past forty years have witnessed an unprecedented boom in incarceration rates in the United States. According to a report published by the National Research Council, the prison population grew from 200,000 to about 2.2 million between 1973 and 2009, which meant that the U.S. held about a quarter of the world’s prisoners. The period of prison privatization emerged in the 1980s when neoliberal policies began to expand across the globe, with the first U.S. private prison business operating in Hamilton County, Tennessee in 1984 under the Corrections Corporation of America (CCA). Today, privately run prisons are ubiquitous across the nation, even being dramatized on screen as seen in the last season of Orange is the New Black. Meanwhile, on the backs of Black and brown prisoners, CCA reported US\$1.7 billion in total revenue in 2011 alone.



And Democratic presidential candidate Hillary Clinton, the beloved “lesser of two evils” for many progressives, is just as mired in this racist monster of the private prison system. Last month, it was reported that Clinton was accepting contributions from known lobbyists for two of the country’s largest private prison corporations, CCA and the Geo Group, in addition to her usual

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...Continued from Page 6...donations from Wall Street and the fossil fuel industry. In light of this news, it’s no surprise that Clinton refused to address issues of structural racism when she was confronted by a group of Black Lives Matter activists in New Hampshire earlier this month. “She was not willing to concede that the inherent anti-blackness in the policies that were enacted to address problems is the cause of the problems we have today,” activist Julius Jones stated.

In the streets or behind gray prison doors, Black August offers a moment to focus and honor the long African American freedom struggles that are the current movement’s predecessors.

By Yesenia Barragan Originally Published on TeleSUR English August 8, 2015

OBAMA WANTS TO END MASS INCARCERATION, CAN HE?

It’s criminal justice reform week at the Obama White House. On Tuesday, the president gave a major speech outlining the moral and economic case for shrinking the prison population, rehabilitating inmates instead of merely locking them up, and addressing the disproportionate impact of policing and criminal prosecution on poor black communities. Earlier in the week, Obama ordered 46 nonviolent drug offenders to be freed from federal prison, saying that the long sentences they were given at the height of the war on drugs did not fit their crimes. On Thursday, Obama will become the first sitting president to visit a federal prison, when he makes a trip to Oklahoma to meet with inmates and talk about the squalid conditions in which they live.

Meanwhile, Congress has been holding hearings on criminal justice reform, with the House Committee on Oversight and Government Reform hosting a parade of legislators—including Senate Democrat Cory Booker and House Republican Jim Sensenbrenner—who have put forth bills of varying ambition that would change the way the federal government punishes large categories of offenders. Predictions that Congress will pass some kind of legislation before the end of the current session are growing louder and more assured.

Taken together, it looks like momentum. And it undoubtedly is. But the political progress belies a troubling, substantive fact: The federal prison system, which is what all these national lawmakers are talking about when they talk about reform, is relatively small, and fixing it would not have any direct effect on the state and local systems in which the vast majority of American inmates are incarcerated. As Obama underscored in yesterday’s speech, there are more than 2.2 million people currently behind bars in the United States, including about 700,000 in local jails. According to the latest numbers from the Bureau of Justice Statistics, just 215,866 of them are serving in federal prison.

Obviously, that’s a lot of people whose lives stand to improve if the reform efforts in Washington succeed. But it would be a mistake to interpret the passage of even the most far-reaching federal legislation currently on the table—that would be Sensenbrenner and Virginia Congressman Bobby Scott’s SAFE Justice Act, introduced in June—as a decisive victory in the effort to end mass incarceration.

“If you were to release every federal prisoner today, that still would leave about 1.3 million people in prison,” said John Pfaff, a professor at Fordham University School of Law and a skeptic of mainstream reform efforts. “We’d still have the highest number of people in prison in the world, and we’d still have the highest incarceration rate.”

Making more than a dent in those numbers will require the continued enthusiasm of the states, which have so far been leading the way on justice reform: in 2014 alone, 16 states passed legislation addressing sentencing policy, three states revised probation and parole policies, and 14 states took steps to reduce the collateral consequences associated with incarceration. Despite these efforts, the overall state prison population has gone down only slightly since peaking at 1.4 million in 2009. (In 2013, the state prison population actually went up by 4,300.) Cities and counties, meanwhile, incarcerate three times as many people in local jails today as they did in 1980.

So what is the federal government’s role in ending mass incarceration, exactly, given that it only has jurisdiction over about 10 percent of the nation’s prisoners? To find out, I called a number of experts and asked them whether all the excitement we’re seeing around reform at the national level is warranted. They told me that while it’s true federal legislation would only directly affect a relatively small number of prisoners, there is nevertheless significant value, both real and symbolic, in Congress and the president joining forces on this issue.

“What happens in Washington further catalyzes state action, and sort of reifies the commitment for reform on the state level,” said Nicholas Turner, president of the Vera Institute of Justice. “It makes it safe for states that haven’t yet engaged in reform to go in the water, and for states that have to do even more.” He added, “It sends a signal that this is a national movement, and I think that gives cover to state actors who will venture further than they otherwise would.”

But the federal government’s more tangible power to influence state-level policy is through funding: Just as the 1994 Violent Crime Control Act created financial incentives for states to adopt harsh “truth in sentencing” laws that would keep criminals locked up longer, so could a reform effort in 2015 theoretically make it advantageous for states to take more of a “smart on crime” approach—for instance, by providing federal funding to states that ease their mandatory minimum laws, or pass legislation that would divert drug offenders into treatment programs.

According to the people I spoke to, none of the bills working their way through Washington at the moment include funding provisions comparable to the “truth in sentencing” incentives that were baked into the 1994 law. But the federal government can and does use money as a carrot on this issue through non-legislative means: The Justice Department, for instance, provides grants to states that adopt policies that the Obama administration supports, through programs like the Justice Reinvestment Initiative.

“Over the years the Department of Justice has given literally billions of dollars to the states; all 50 states take money to help fund their criminal justice system every single year,” said Joseph Margulies, a professor at Cornell Law School. “There could be different conditions placed on that money. ... That’s the 800-pound gorilla. It has the potential to dwarf the sentencing reforms that have gone on at the state level.”

There is one possible downside to the criminal justice reform ideas being discussed at the federal level, and it has to do with the lowering of expectations. All the legislation on the table right now in Washington is designed to benefit so-called nonviolent offenders—mainly people who have been arrested on drug crimes. There are many of those people in the federal prison system: According to statistics for 2013, just over half of federal prisoners are serving time for drug crimes.

The picture is very different in state prisons, in which 54 percent of inmates around the country have been convicted of violent crimes—including rape, armed robbery, and murder—and just 16 percent are drug offenders. Even if a lot of states do follow the federal government’s lead and pass laws that take a more lenient view of nonviolent drug offenders—while shying away from rethinking how the system treats violent criminals—the country will only ever achieve a modest reduction in the overall prison population.

If the federal government wants to set an ambitious decarceration agenda, it will need to do more than shorten sentences for drug offenders. It’s not clear, though, that the president has the stomach for that. In his speech on Tuesday, Obama stated that “nonviolent drug offenders” are the “the real reason our prison population is so high,” and suggested that finding a less punitive approach to dealing with those individuals will be key to ending mass incarceration. That’s simply not true—and the more often Obama and the people around him say it, the more circumscribed the debate over who should be in America’s prisons might become. As Margulies put it, there’s reason to fear that “if the federal government sets the bar only this high, no one will go higher.” At a moment when the American public really does seem ready to embrace a more intelligent and humane approach to crime, that would be a lost opportunity.

By Leon Neyfakh Originally Published on Slate on July 15, 2015

AMNESTY INTERNATIONAL IS FINALLY ON THE RIGHT SIDE OF THE SEX WORK STRUGGLE

At the close of their Dublin meeting yesterday, delegates representing Amnesty International members worldwide voted in favor of taking up sex workers’ rights. Their vote authorizes Amnesty’s international board to adopt a policy to protect sex workers rights, including “the full decriminalization of all aspects of consensual sex work.”

“This is an important step for sex workers all over the world,” Luca Stevenson, coordinator of the International Committee on the Rights of Sex Workers in Europe said. The policy drew controversy in the weeks leading up to the meeting, when a draft leaked online. Opposition to the policy misrepresented its aims as legalizing or otherwise condoning abuse and violence.

“We really hope that those who have opposed Amnesty’s position in the past will reconsider their position and look at the evidence that criminalization of sex work is a key factor in our vulnerability to violence and abuse,” Stevenson told me. “We hope that this evidence-based decision by Amnesty will help other progressive organizations take a position to support sex workers’ rights.”

It’s not evident yet what power this evidence has with those who object to Amnesty’s policy because they are anti-sex work. Across social media, anti-sex work lobby groups like the Coalition Against Trafficking In Women and Demand Abolition repeated their points throughout the weekend meeting.

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...Continued from Page 7...At times, anti-sex work posts overwhelmed the Amnesty meeting hashtag, alongside posts from anti-abortion campaigners. An image of Amnesty’s candle logo circulated, the candle wrapped in barbed wire replaced by an erect penis.

Yesterday Amnesty released a short video responding directly to their opposition in a montage of headlines like “Amnesty International says prostitution is a human right – but it’s wrong” and claims that Amnesty’s decision would “make sex trafficking easier.”

“Prostitution is not a human right, but sex workers have human rights,” Amnesty’s Deputy Europe Director Gauri van Gulick replied in the video. “We know that gender inequality and other forms of inequality and discrimination are pushing, forcing people into the sex industry. We believe that you cannot punish those who are there, who are driven to sex work, by criminalizing it and in fact taking away choices. We believe we need to work on gender inequality more broadly and that’s what we stand for.”

By backing decriminalization, of course, Amnesty has not changed any law; their policy sets the groundwork for campaigning by Amnesty’s members and national sections. It’s this that could be a substantive boost for sex workers’ rights advocates. “Along with many other sex workers in Canada, I hope our win today at Amnesty International will lead Canada toward decriminalization,” said Morgan M. Page, a Canadian trans sex work activist. Canada’s 2014 anti-sex work law, dubbed the “Protection of Communities and Exploited Persons Act,” is modeled on the anti-sex work laws in Sweden and Norway. Though these laws are often described as “decriminalization” by their supporters, sex workers’ rights advocates—and now Amnesty as well—have shown they still criminalize sex workers and expose them to police violence.

“Amnesty’s support of decriminalization is a huge win for trans sex workers across the world who face a heavy burden of criminalization,” Page added, “but who are largely ignored by the Rescue Industry”—a term coined by anthropologist Laura Agustin, used by sex workers’ rights advocates to describe those organizations set up to get sex workers to leave sex work, and who also lobby for laws against sex work. These are also some of the organizations—like Eaves in the United Kingdom, and Breaking Free in the United States—who oppose Amnesty’s support for decriminalization.

Anti-sex work laws don’t function in isolation; in fact, they have been used to advance other policy agendas, like—most recently, in large global cities—gentrification. In North America, anti-prostitution laws are also inseparable from colonialism. “Amnesty’s policy explicitly refers to indigenous peoples and calls on states to recognize and respect indigenous rights,” said Naomi Sayers, an indigenous feminist and sex work activist “from colonial Canada.” “The first bawdy house laws in Canada were enacted under the Indian Act, and that is how indigenous peoples were first criminalized: under the Indian Act.” Decriminalization is also inseparable from this legacy, Sayers said. “To support the decriminalization of sex work, especially in Canada, would be to acknowledge this history and respect the healing of indigenous peoples and to protect indigenous peoples’ sovereignty over their land and body.”

Too often, the stories of women who are no longer engaged in sex work and who reject sex work gain more attention than the testimony of sex workers who are still in the industry, and whose needs should be primary when it comes to setting policy. “I am an Australian sex worker living within a licensing system,” Nell Gwynn wrote me, using a pseudonym. “I do not speak for all sex workers—I only speak for myself, from my own experience. I am not a representative, because none of us are.” In the case of Amnesty’s proposal, Gwynn wrote, “while the policy draft is far from perfect, and requires plenty of work and improvement to truly achieve equity across all intersections of sex work, I hope that this is a sign that Amnesty is willing to listen to us.”

Amnesty’s announcement refers to sex workers as “one of the most marginalized groups in the world,” but today it is especially worth underscoring the resistance of sex workers. Sex workers have organized against police violence, HIV/AIDS, and punitive laws for decades—and did so while facing exclusion from feminist and human rights organizations. “All the years of work that our rights movement has put in while we have been accused of running the errands of some imaginary pimp lobby, and the Swedish Model being spread like the plague, it has finally payed off,” Pye Jakobsson, president of the Global Network of Sex Work Projects wrote me. “It is about time.”

“This decision from Amnesty International really nails the fact that the sex workers rights movement is a legitimate fight for the human rights of sex workers,” said Meena Seshu, who works with the sex workers’ organizations SANGRAM and VAMP in Sangli, India. “VAMP’s struggles are aligned with the human and women’s rights movements in condemning the abuse and violation of the rights of women, including sex workers. This Amnesty decision validates their struggles.”



Staff at Amnesty who were part of this process recognize this. “As the world’s largest human rights organization we are proud to finally be able to join in solidarity with the sex worker’s rights movement who fight tirelessly for recognition of their rights globally,” Catherine Murphy, of their law and policy team and Jaime Todd-Gher, an Amnesty human rights adviser/advocate, wrote me after the vote. “The marginalization and abuse that sex workers in many countries experience is against everything we stand for as human rights defenders. We hope that in the years to come our movement can work with sex workers to help bring an end to these human rights violations.”

“For me the focus really needs to be with workers about the rights they do have, recourse they can take, and ways to stay safe,” P Marie (a pseudonym), writer, advocate and former sex worker from the American Midwest told me. “Harm reduction has always been a big deal to me—essentially to say, as no one is helping us, let’s find ways to help ourselves. I’m really big on community and organizing that way. If we can continue to build community, then we can continue stronger advocacy for change that is coming.”

Amnesty’s endorsement for something sex workers have long demanded—full decriminalization—is a powerful one. There’s also much more to do, as many advocates told me. “This is by no means a landslide victory of any sorts, in my opinion,” P Marie said. “It’s the beginning.”


By Melissa Gira Grant Originally Published on The Nation, August 12, 2015

CHELSEA MANNING FOUND GUILTY OF PRISON RULE VIOLATIONS, GETS RESTRICTIONS

Chelsea Manning was found guilty today on four charges of breaking prison rules and will receive 21 days of restrictions on recreation as punishment, but she has been spared the harshest penalty: indefinte isolation.

She is serving a 35-year sentence in the military prison at Fort Leavenworth, Kan., for providing government documents to WikiLeaks, and was brought before a review board.

She tweeted the result this afternoon:



Chelsea Manning

@ychelsea

Follow

I was found guilty of all 4 charges @ today's board; I am receiving 21 days of restrictions on recreation--no gym, library or outdoors.

6:44 PM - 18 Aug 2015

↩

↻ 1,290

★ 332

Manning was accused of brushing food onto the floor during meal time, disrespect of an officer, “medicine misuse” for possessing a tube of expired toothpaste, and possessing prohibited reading material, including the Vanity Fair issue featuring Caitlyn Jenner and copies of The Advocate and Out magazines. The maximum sentence on the charges was indefinite solitary confinement.

Supporters of Manning had gathered 100,000 signatures on a petition opposing solitary confinement; the groups Fight for the Future, RootsAction.org, Demand Progress, and Code Pink delivered them Tuesday. That undoubtedly helped spare her the maximum penalty, and she was thankful to all who signed, said Chase Strangio, her attorney at the American Civil Liberties Union. However, the punishment she has received is no small matter, he said in a press release.



“The fact that Chelsea had to face today’s four-hour Disciplinary Board without counsel, and will now be punished for daring to share her voice, sets a concerning precedent for the remaining decades of her incarceration,” he said. “Not only does this punishment mean the immediate loss of library and recreation for Chelsea, but she also will carry these infractions through her parole and clemency process and will be held longer in the more restrictive custody where she is now incarcerated. No one should have to face the lingering threat of solitary confinement for reading and writing about the conditions we encounter in the world. Chelsea’s voice is critical to our public discourse about government accountability and trans justice, and we can only preserve it if we stay vigilant in our advocacy on her behalf.”

Added Evan Greer, campaign director for Fight for the Future, a digital rights group: “People around the world are outraged that a courageous whistleblower like Chelsea Manning is imprisoned in the first place, so it’s no surprise that people spoke out in droves when the U.S. government threatened her. More than 100,000 supporters signed a petition demanding no solitary confinement for Chelsea, and the pressure worked. It’s absurd that Chelsea was found guilty, and that she has to endure any additional punishment beyond being wrongly imprisoned, but now the U.S. government knows that the world is watching their treatment of Chelsea closely. If they continue this unwarranted harassment of Chelsea, they risk losing all legitimacy in the eyes of millions.”

*By Trudy Ring Originally Published on The Advocate August 18, 2015*

BEING TRANS\* IS NOT CRIMINAL, BUT THE U.S. IMMIGRATION SYSTEM THINKS IT IS

Nicoll Hernández-Polanco was a young teenager living in Guatemala, when at the age of 14 she began her transition from male to female. She almost immediately became a target of extreme abuse in Guatemala and then in Mexico. After nearly a decade of physical and sexual violence, she decided to seek asylum and presented herself to agents at the United States border in October 2014.

In her search for safe asylum in the United States, Nicoll was detained by Immigration & Customs Enforcement (ICE) for six months because, ICE claimed, her previous deportations when she tried to flee transphobic violence as an unaccompanied minor made her a priority for detention. During her detention she experienced sexual harassment and abuse at the hands of the ICE staff, the very people she sought out to help her escape her other abusers. She also survived sexual attacks by other detainees during her long wait to see if she would be granted asylum.

Last week, after months of campaigning by immigrant and LGBTQ rights groups, Nicoll was finally freed. Unfortunately that victory is the only part of Nicoll’s story that differs from the experiences of most transgender women caught in the United States immigration system.

As a transgender man and a person of color, I am deeply disturbed by the US immigration system’s discriminatory treatment of transgender people and by the broader criminal justice systems targeting our communities. Although there is not much data around AAPI communities in immigration detention, we know that members of our communities are trapped in an unjust immigration system: Southeast Asian, Pacific Islander, and South Asian communities are some of the most vulnerable prey in this system and more broadly, the prison industrial complex. We need to make these stories more visible, and we need queer and trans AAPI communities to demand an end to detention, particularly of those communities that most frequently experience violence and violations of their human rights in detention centers.

Transgender detainees are regularly subject to horrific abuse. According to recent Bureau of Justice Statistics data, nearly half of the alleged instances of sexual violence in prisons and jails across America are actually committed by facility staff. Nicoll’s gender, like that of many transgender immigrants, was disrespected by ICE from the moment she entered the system. She was placed in an all-male facility in Florence, AZ against Department of Homeland Security

regulations, which require that ICE take gender identity into account in facility placement. Nicoll was required to shower with, use the restroom with, and sleep in the same room as men. As a result, predictably, Nicoll was sexually assaulted by another detained immigrant.

A recent Fusion investigation found that transgender migrants, most transgender women, are detained by ICE each day in conditions that Fusion reported were “often humiliating, dangerous, and even deadly.” Although transgender women make up only 1 out of every 500 detainees, they make up a shocking 1 out of every 5 substantiated cases of sexual assault in immigration detention facilities.

Transgender women’s very humanity is denied in detention. Transgender immigrants who fight their deportation can spend years alone in solitary for twenty-three hours a day. Extended solitary confinement, widely considered a form of torture for its extreme mental and physical impacts, is often proposed as a “solution” by ICE for transgender detainees who face assault when housed in facilities that do not match the gender they live as. Many traumatized detained transgender immigrants simply give up and accept deportation because they would rather risk possible death than continue with the torture of solitary confinement. In Nicoll’s first month detained, she was patted down six to eight times a day by male guards, who would grope her breasts and buttocks, make sexually harassing remarks and gestures and sometimes pull her hair. ICE staff routinely verbally abused her because of her gender identity, calling her “fucking gay,” “bitch” and “the woman with balls” in front of other detainees. A female guard refer repeatedly to Nicoll as “it” in front of her attorneys.

This is not an issue impacting just a handful of people. An estimated 20,000 transgender adults in the US are undocumented, and thousands of transgender youth who came to the US at an early age also lack legal status. Transgender and gender nonconforming immigrants are building community, speaking out and mobilizing for their rights alongside other targeted communities. Thousands of transgender American citizens have immigrant partners or other family members who have been or may be separated from them by our immigration laws.

It is time for the disenfranchisement of trans and gender nonconforming people to stop. Join me by signing the petition in calling on President Obama to end the detention, profiling and deportation of vulnerable communities, including LGBTQ immigrants.



*By Kris Hayashi Originally Published on Hyphen Magazine April 29, 2015*

BLACK & PINK INCARCERATED FAMILY FEEDBACK! MAIL TO: Black & Pink - FEEDBACK

-----rip slip here-----

We are working on the Black and Pink Survey and want you to name it!! Please send us your ideas!!



STORMING THE STAGE: A HISTORY OF DISRUPTIONS TO ADVANCE OUR RIGHTS

Jennicet Gutiérrez, a transgender woman and undocumented immigrant, received both praise and condemnation for interrupting President Obama’s speech at a White House LGBT Pride reception in June to call for an end to deportations. But whatever you think of her action, it’s inarguable that it’s part of a long tradition in our movement.

For more than 40 years, LGBT activists have been interrupting speakers, forcing their way into events or significant spaces, and sometimes even throwing pies to either challenge our adversaries or push our allies. Here we look at some of these instances we call “storming the stage.” We’re avoiding sanctioned protest marches, like the various marches on Washington, or spontaneous reactions to injustice, such as the Stonewall rebellion, the Compton’s Cafeteria uprising, or the White Night riots — they have all been important in our history, but this article focuses on a specific kind of action.

Gay Activists Disrupt Psychiatrists’ Conference, 1970

The American Psychiatric Association removed homosexuality from its list of mental disorders in 1973, but the process began when gay activists invaded and disrupted the APA’s conference in San Francisco in 1970. Outside the convention center, some formed a human chain; inside, some greeted psychiatrist Irving Bieber with “shouting matches and derisive laughter,” according to Hannah S. Decker’s 2013 book *The Making of DSM-III: A Diagnostic Manual’s Conquest of American Psychiatry*. “Pandemonium broke out,” Decker writes, and speakers and activists exchanged heated language. Gay advocates disrupted the APA convention again in 1971, but in 1972 the event included an officially sanctioned gay panel, featuring legendary activists Barbara Gittings, Frank Kameny, and John E. Fryer in disguise as Dr. H. Anonymous — he was a psychiatrist who could have lost his license if his homosexuality became known. And the next year, the APA decided it would no longer consider homosexuality a mental illness. “The gay activists were the catalyst,” New York City–based psychiatrist Jack Drescher told Reuters this year.

A Pie in the Face for Anita Bryant, 1977

Bryant, a popular singer turned spokeswoman for the Florida citrus industry, added “antigay crusader” to her résumé in 1977. A conservative Christian, she became enraged when the Miami–Dade County government enacted a gay rights ordinance that year. Her activism led to a voter repeal of the ordinance and a statewide ban on adoption by gay people, repealed just this year (it had been unenforceable since a 2010 court decision). Not satisfied with campaigning for antigay discrimination in Florida alone, she took her crusade national. At a press conference in Des Moines on October 14, 1977, gay rights activist Tom Higgins threw a pie in Bryant’s face. She commented, “At least it was a fruit pie,” then prayed for Higgins and burst into tears. Her antigay activism did serious harm in the short run but was counterproductive in the long run, providing an opportunity to educate the public about gay people. “In the weeks before and after Dade County, more was written about homosexuality than during the total history of mankind,” Harvey Milk said later.

Boos for Reagan AIDS Policies, 1987

AIDS activists were incensed by Ronald Reagan’s long silence about the disease and lack of action on it, as well as the wrongheaded proposals of his administration, such as a call for routine voluntary HIV testing for all and mandatory testing for some. At the 1987 International Conference on AIDS, held in Washington, D.C., President Reagan, Vice President George H.W. Bush, and Health and Human Services Secretary Otis R. Bowen were heckled, booed, and hissed by activists. Hundreds stood in protest during a speech by Bowen and attempted to shout him down; a group called the Lavender Hill Mob was behind the action. Fortunately, routine/mandatory testing did not become the law of the land, although some other harmful policies were enacted in the Reagan years — for instance, a ban on the entry of HIV-positive immigrants and visitors into the U.S., finally lifted under President Obama in 2009.



ACT UP Shuts Down the FDA, 1988

The AIDS Coalition to Unleash Power, founded in 1987, took direct action to new levels. One of its highest-profile efforts came October 11, 1988, when hundreds of protesters tried to enter the Food and Drug Administration’s headquarters in Rockville, Md., in a call for reforming the drug approval

process to speed up the availability of AIDS medications. They did not manage to enter the building, but they did block access to it, and the FDA shut down for a day. And the agency soon began seeking input from AIDS activists and adopted many of their ideas.

ACT UP Confronts Catholicism and Capitalism, 1989

ACT UP continued driving home its points in 1989. In December of that year, dozens of ACT UP members and allies disrupted a Mass at St. Patrick’s Cathedral in New York City, condemning Cardinal John O’Connor’s statements against gay sex and condom use; he urged sexual abstinence to fight AIDS, saying, “Good morality is good medicine.” Some protesters chained themselves to pews, and others lay down in the cathedral’s aisles, while thousands more demonstrated outside. “O’Connor says get back, we say fight back,” they chanted. More than 100 people were arrested. Just two months earlier, ACT UP activists had infiltrated the New York Stock Exchange, chained themselves to a balcony, and halted trading in protest of the cost of AIDS drugs. Shortly thereafter, drugmaker Burroughs Wellcome lowered the price of AZT, the first AIDS med approved by the FDA.



Danny Sotomayor Speaks Truth to Power, 1989

Sotomayor, a Chicago-based nationally syndicated cartoonist, was a thorn in the side of many, including President George H.W. Bush, commentators Andy Rooney and Mike Royko, and most especially Chicago Mayor Richard M. Daley (son of another famous Chicago mayor, Richard J. Daley). Eventually, the second Mayor Daley became known as an ally of LGBT people and those with HIV or AIDS, but his first few years in office were rocky. Sotomayor, a founder of the Chicago chapter of ACT UP, often criticized Daley’s response to the AIDS crisis in the city; at a 1989 press conference where the recently elected mayor announced an AIDS action plan, Sotomayor shouted him down, calling the mayor’s words “garbage.” It was one of many confrontations the cartoonist had with the mayor and other powerful types, making a major mark in his brief life. Sotomayor died of AIDS complications in 1992 at the age of 33.

Queer Nation on the Oscars Red Carpet, 1992

They didn’t quite disrupt the Academy Awards, but activists with Queer Nation managed to take their cause to the red carpet prior to the ceremony on March 30, 1992. The group was objecting to the portrayal of LGBT people as villains in high-profile films. Two had been released the previous year and were Oscar-nominated: *The Silence of the Lambs*, which would go on to sweep the major awards that night, featured a transgender serial killer, and *JFK*, a largely fictional “historical” film, had a gay cabal plotting the president’s assassination. Another was about to be released — *Basic Instinct*, starring Sharon Stone as a bisexual serial murderer. Hundreds of demonstrators clashed with police in riot gear outside the Dorothy Chandler Pavilion in downtown Los Angeles, resulting in punches being thrown, arrests made, and “Fag” stickers slapped on 24-foot-tall Oscar statues. “We were told that we would be given room on the sidewalk,” protester Annette Gaudino told *The Advocate* in 1992. “The next thing I know, the police just came out swinging.”





Queer People of Color Occupy Gay Bars in Castro, 2015

In reaction to violence against people of color and transgender Americans, 150 activists with Queer Trans People of Color marched into two bars in San Francisco’s Castro District that serve a largely white clientele. In support of #BlackLivesMatter and #TransLivesMatter, “they chose to interrupt business-as-usual over the Martin Luther King Day weekend at two bars, Toad Hall and Badlands, regarded as sites of middle-class white privilege,” S.F. Weekly reported. As the decried what they saw as the larger LGBT movement’s half-hearted response to the killings of marginalized people, they temporarily shut down Toad Hall and drew reactions “ranging from tearful embraces to rudeness and physical encounters,” according to the paper.



Trans Activists Storm the Stage at Creating Change, 2015

This year has continued to be marked by direct action. At the National LGBTQ Task Force’s Creating Change conference in Denver in February, about 100 transgender activists and allies, led by Bamby Salcedo, stormed the stage and interrupted emcee Kate Clinton, carrying handmade signs and chanting “Jessie Presente!” in reference to 17-year-old queer Latina Jessie Hernandez, who was shot to death by Denver police the previous week. Salcedo demanded better accountability on the part of police and the criminal justice system, and called for LGBTQ organizations to include transgender people on their boards and staffs as decision-makers. “If you serve us, you need to include us,” Salcedo said to a crowd cheering and raising their fists in solidarity. Task Force deputy executive director Russell Roybal thanked the demonstrators for their input and announced that Denver Mayor Michael Hancock would not speak as planned.



#BlackOutPride Protesters Disrupt Chicago LGBT Parade, 2015

The LGBT Pride parades held in many cities on July 28 of this year had a particularly festive atmosphere, as the U.S. Supreme court had ruled in favor of nationwide marriage equality two days earlier. But a group called #BlackOutPride called out racism among white gays and drew attention to the situation of trans people and people of color. Eight people interrupted the Chicago parade with a die-in, lying on the pavement, as others with the group stood around them carrying signs. A statement was read explaining “why, as more than one sign declared, ‘Marriage is not enough,’” TruthOut reported. The statement was this: “Queer youth experiencing homelessness, and the plight of trans and queer communities of color, is not merely an issue of transphobia and homophobia in Black and Brown communities; it is equally about classism,

racism and gentrification. It is about the draconian measures of austerity that push our people onto the street, refuse us reentrance into real estate and the job market, and the police and prison systems which work together to ensure we stay locked out. Young, Black, Brown, Native, trans, poor, working, immigrant and disabled people are suffering because every system of governance in this country is geared to destroy us.”

By Trudy Ring Originally Published on August 19, 2015

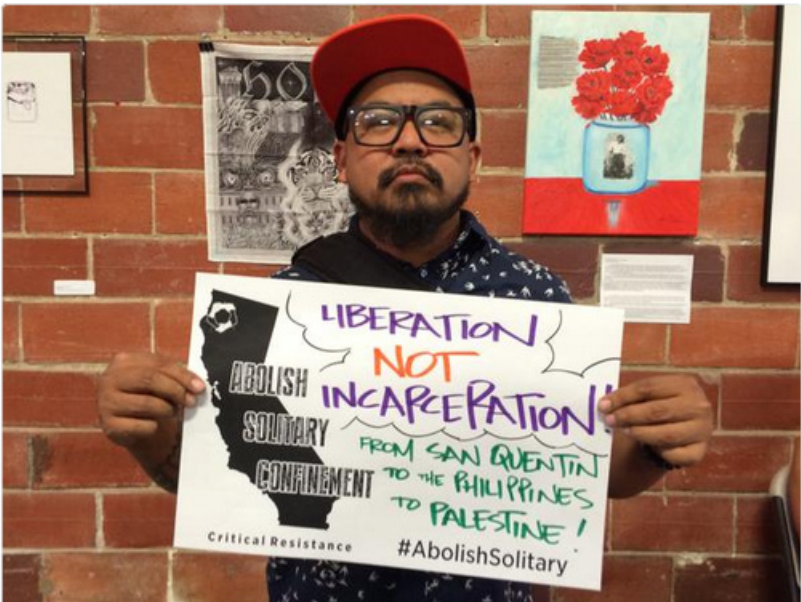
#ABOLISHSOLITARY - PT 2

#AbolishSolitary campaign honors imprisoned activists & raises awareness about struggles against the torturous use of solitary confinement, which isolates 80,000 people in the U.S. today.

Many imprisoned people have asked us to show solidarity by spreading word about their struggle and to amplify their demand to abolish solitary confinement. For this anniversary Critical Resistance (CR) has launched an #AbolishSolitary social media campaign to keep the spotlight on solitary confinement and advance the prisoner-led call to eliminate its use. Below are the photo responses that people have been posting on twitter.

July 8 marks the 2nd anniversary of the 2013 CA Prison Hunger Strike, the largest prison hunger strike in history that included more than 30,000 imprisoned protesters. The strike lasted 60 days. Their struggle still continues today. Read the strikers’ unmet demands and check out Prisoner Hunger Strike Solidarity, a coalition working to amplify the voices of CA prisoners on hunger strike who are striving to achieve their demands, and to end the torture that is solitary.

Below are [some of] the powerful photo testimonies that people have been posting:



Critical Resistance @C\_Resistance

Follow

From @kiwizzo "Liberation NOT Incarceration. From San Quentin to the Phillippines to Palestine!" #AbolishSolitary

3:21 PM - 8 Jul 2015

30 14



NYC Quakers @NYCityQuakers

Follow

@JailsAction NYC speaks out against brutality at Rikers & abusive solitary confinement. @Lucy\_Duncan

@BklynDefenders

2:53 PM - 11 Jul 2015

9 6



# Black and Pink Information Form

**Rip out this form & Mail to: Black and Pink-Form | 614 Columbia Ave | Dorchester, MA 02125**  
If you have not done so in the past 6 months (to reduce mail so we can respond faster), please send this form back.  
You can include a **picture** and **“first letter to your new penpal” introduction** for us to scan, if you wish!

I give Black and Pink permission to share this info on the Internet on my behalf. **I understand anyone who uses the Internet can find the \*starred information.** Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Preferred name \_\_\_\_\_ ID # \_\_\_\_\_

\*Committed name \_\_\_\_\_ \*Pronoun she | he | they | ze | other: \_\_\_\_\_

Address \_\_\_\_\_ ↑ What words do you prefer people use when talking about you?

Is this an **update** of previous information? ☐ Yes | ☐ No

<b>Please <input checked="" type="checkbox"/> check the kinds of correspondence you are interested in (please note most penpals are not interested in romance etc.):</b> <input type="checkbox"/> Having a friendship <input type="checkbox"/> Writing about social justice or activism <input type="checkbox"/> Having a romance <input type="checkbox"/> Writing sexy or erotic letters <input type="checkbox"/> No newspaper (it doesn't have an envelope and is not discrete) <input type="checkbox"/> Resources (Please describe at bottom of page. Limited availability.) <input type="checkbox"/> No holiday cards			
*Do you need to write to someone who will be discrete in letters / not out you? <input type="checkbox"/> Yes <input type="checkbox"/> No Do you have a reading disability like dyslexia? *Do you need someone to write printed letters to you? <input type="checkbox"/> Yes <input type="checkbox"/> No Do you want the newspaper in Spanish? ¿Desea que el periódico en español? <input type="checkbox"/> Si <input type="checkbox"/> No Si, y ingles <input type="checkbox"/> No			
<b>Please provide this optional information, if you would like:</b>			
<b>Your *age and birth date</b>		<b>Are you allowed to write to ALL other prisoners?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>If Yes, we will share your address with other prisoners</b>
<b>*Your race / ethnicity</b>		<b>Any other restrictions?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>*Your gender</b> What gender do you identify as? Examples: woman, cis man, ftm, trans woman, queer, questioning, intersex...	<input type="checkbox"/> *I'm trans (The sex I grew up as is different than how I feel)		
<b>*Your sexuality</b>			
<b>*Your faith (if any)</b>			<b>*What attributes, interests, or qualities would you like the person who will write to you to have? (Read "Tell us..." below)</b>
<b>Non-English language</b>			
<b>* Release expected? Date?</b>			
<b>HIV status</b> Not visible on website	<input type="checkbox"/> Neg <input type="checkbox"/> Pos <input type="checkbox"/> Unknown	<b>Can you write to people using CORRLINKS?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Are you in solitary? Until when?</b>		<b>How many people outside your family write you?</b>	
<b>*Tell us about yourself (your background, hobbies, interests, beliefs, talents, etc.) and who you are hoping to talk to. About 25 words. Outside members have told us they are more likely to write to people who provide information here, so please write at least one sentence about yourself! Outside members respond most often to people whose profiles » use positive words to describe themselves » say that they are looking for friendship versus romance » say who they are interested in writing, or if they are open to writing anyone. » re-read to make sure what you say is clear.</b> » Some people are more likely to write if you share your conviction---this ABSOLUTELY OPTIONAL. B&P supports our members regardless of conviction.			

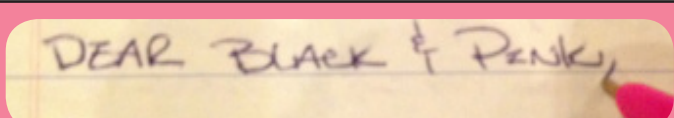
Do we have permission to display (the best) picture of you from a corrections website? ☐ \*Yes ☐ No (Only available in some states)

Would you like these to receive our occasional peer-written erotica publication Hot Pink? ☐ Yes ☐ No

PLEASE NOTE: We cannot respond to letters asking if we got your message. It takes **up to six months** for our volunteers to enter a letter into our system. You will know that your first letter has been processed when you start receiving the newspaper. Unfortunately, we cannot guarantee you will get a pen pal, and we do not send out pen pal lists.

Some prisons block our newspaper. Please spread the word!

Please Note: You can send multiple requests/topics in one envelope! Due to concerns about consent and confidentiality, you cannot sign up other people for the newspaper. However, we can accept requests from multiple people in the same envelope. There's no need to send separate requests in more than one envelope. If you are being released and would still like to receive a copy of the newspaper, please let us know the address we can send the newspaper to!

	<p><b>Black &amp; Pink - _____</b>  <b>614 Columbia Rd</b>  <b>Dorchester, MA 02125</b></p>
<p>If you would like to request:</p>	<p>Please write one or more of these topics in the top line of the address:</p>
<p>Newspaper Subscriptions, Pen-Pal Program, Address Change, Request Erotica, Religious Support &amp; Volunteering (Send thank you cards to donors, etc.)</p>	<p><b>Black &amp; Pink - General</b></p>
<p>Newspaper Submissions- Stories, Articles, Poems &amp; Art</p>	<p><b>Black &amp; Pink - Newspaper Submissions</b></p>
<p>Black &amp; Pink Organization Feedback-- Especially the Slip on Page 9</p>	<p><b>Black &amp; Pink - Feedback</b></p>
<p>Black and Pink Religious Zine</p>	<p><b>Black and Pink - The Spirit Inside</b></p>
<p>Advocacy Requests- Include details about situation and thoughts about how calls or letters might help</p>	<p><b>Black &amp; Pink - Advocacy</b></p>
<p>Submit to Erotica Zine</p>	<p><b>Black &amp; Pink - HOT PINK</b></p>
<p>Stop Your Newspaper Subscription Black and Pink Hotline Number</p>	<p><b>Black &amp; Pink – STOP Subscription</b>  <b>617.519.4387</b></p>

**Pen Pal Program:** LGBTQ prisoners can list their information and short non-sexual ad on the internet where free world people can see it and decide to write. There will be a Pen-Pal Request Form in the Newspaper every 4 months.